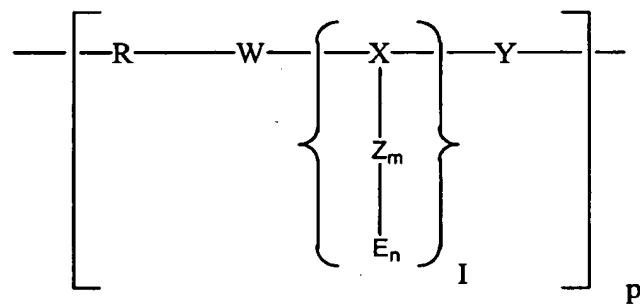


**Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently amended) A combination of a carrier and a complex comprising a nucleic acid molecule and a charged copolymer of the general formula I

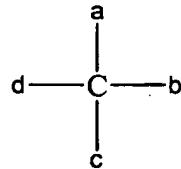


wherein *R* is an amphiphilic polymer or a homo- or hetero-bifunctional derivative thereof,

and wherein *X*

i) is an amino acid or an amino acid derivative, a peptide or a peptide derivative or a spermine or a spermidine derivative; or

ii) wherein X is



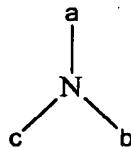
wherein

a is H or, optionally halogen- or dialkylamino-substituted, C<sub>1</sub>-C<sub>6</sub> alkyl; and

wherein

b, c and d are the same or different, optionally halogen- or dialkylamino-  
substituted, C<sub>1</sub>-C<sub>6</sub> alkylene; or

iii) wherein X is



wherein

a is H or, optionally halogen or dialkylamino substituted, C<sub>1</sub>-C<sub>6</sub> alkyl;

and wherein

a, b and c are the same or different, optionally halogen- or dialkylamino-  
substituted, C<sub>1</sub>-C<sub>6</sub> alkylene; or

iv) wherein X

is a substituted aromatic compound with three functional groupings W<sub>1</sub>Y<sub>1</sub>Z<sub>1</sub>,  
wherein W, Y and Z have the meanings mentioned below;

wherein

W, Y or Z are the same or different groups CO, NH, O or S or a linker  
grouping capable of reacting with SH, OH, NH or NH<sub>2</sub>;

and wherein the effector molecule E

is a cationic or anionic peptide or peptide derivative or a spermine or spermidine derivative or a glycosaminoglycane or a non-peptidic oligo/polycation or -anion; wherein

m and n are independently of each other 0, 1 or 2; wherein

p preferably is 3 to 20; and wherein

l is 1 to 5.

2. (Previously presented) The combination according to claim 1, wherein the amphiphilic polymer is a polyalkylene oxide.

3. (Previously presented) The combination according to claim 2, wherein the amphiphilic polymer is a polyalkylene glycol.

4. (Previously presented) The combination according to any one of claims 1 to 3, wherein X or E is a charged peptide or peptide derivative.

5. (Previously presented) The combination according to claim 1, wherein a ligand for a higher eukaryotic cell is coupled to the copolymer.

6. (Previously presented) The combination according to any one of claims 1 – 3 and 5, wherein the nucleic acid molecule is condensed with an organic polycation or cationic lipid molecule and the complex formed thereby has a charged copolymer of the general formula I bound to its surface via ionic interaction.

7. (Previously presented) The combination according to any one of claims 1 – 3 and 5, containing a therapeutically effective nucleic acid molecule.

8. (Previously presented) The combination according to any one of claims 1 – 3 and 5, wherein the carrier consists of a biologically non-resorbable material.

9. (Previously presented) The combination according to any one of claims 1 – 3 and 5, wherein the carrier consists of a biologically resorbable material.

10. (Original) The combination according to claim 9, wherein the biologically resorbable material is collagen.

11. (Original) The combination according to claim 10, wherein the carrier is a collagen sponge.

12. (Previously presented) The combination according to any one of claims 1 – 3 and 5, wherein the carrier is a carrier which is obtainable by cross-linkage of a copolymer as defined in claim 1.

13. (Previously presented) A method of transferring a nucleic acid molecule into a cell comprising using the combination according to any one of claims 1 – 3 and 5.

14. (Previously presented) A pharmaceutical composition comprising the combination according to any one of claims 1 – 3 and 5.

15. (Canceled).

16. (New) A kit comprising a carrier and a copolymer or a complex as defined in claim 1.

17. (New) The combination according to claim 1, wherein I is 1.

In response to the requirement, applicants elect the species where the variables in claim 1 have the following values:

R is O,O'-bis(2-aminoethyl)poly(ethylene glycol) 3400\*;

W is NH;

X is 3-mercaptopropionyl-glutamic acid;

Y is NH

Z is omitted (m=0);

p is 3; and

l is 1.

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\* Applicants note that O,O'-bis(2-aminoethyl)polyethylene glycol 3400 is composed of a mixture of sizes based on the number of repeats in the polymer (generally 40 – 500). For purposes of this election, applicants have arbitrarily specified a polymer with 40 repeats of the base unit.

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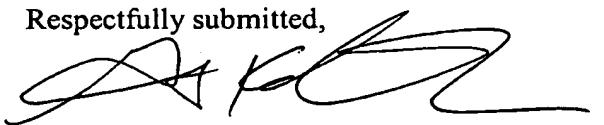
It is difficult to assign an unambiguous name to this compound, but applicants believe that the following designation would be most clear to one of skill in the art: Poly{[O,O'-bis-(2-aminoethyl)-poly(ethylene glycol)]-co-[(3-mercaptopropionyl)-glutamic acid]-graft-(Ac-Tyr-Glu<sub>5</sub>)<sub>2</sub>Lys-Ahx-Cys}.

Applicants election of the above-identified species is made expressly without waiver of applicants' rights to continue to prosecute and to obtain generic claims and/or to obtain claims to the non-elected species either in this application or in other applications claiming benefit herefrom.

### **Conclusion**

Applicants request favorable consideration and early allowance of claims 1 – 14, 16, and 17.

Respectfully submitted,



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